

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ALLEN PERRY, as agent for)	
Fern Bush Elliott,)	
)	
Plaintiff,)	Case No. 1:11-cv-234-SJM-SPB
)	
v.)	
)	
MICHAEL E. DUNLAVEY, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on October 6, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on October 31, 2011 [5], recommends that Plaintiff's motion for emergency temporary restraining order and for preliminary injunctive relief [2] be denied. The parties were allowed fourteen (14) days from the date of service in which to file objections. Service was made on Plaintiff by certified mail at his current address of record. No objections to the Report and Recommendation have been filed to date. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 22nd Day of November, 2011;

IT IS ORDERED that the Defendants' motion for an emergency temporary restraining order and for preliminary injunctive relief [2] shall be, and hereby is, DENIED.

The Report and Recommendation of Magistrate Judge Baxter, filed on October 31, 2011 [5], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: All parties of record

U.S. Magistrate Judge Susan Paradise Baxter